

House Amendment to  
Senate File 365

S-3246

1 Amend Senate File 365, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 3, after line 28 by inserting:  
4 <Sec. \_\_\_\_\_. Section 654.4B, subsection 2, paragraph  
5 b, Code 2011, is amended to read as follows:  
6 b. This subsection is repealed July 1, ~~2011~~ 2012.>  
7 2. Page 3, after line 28 by inserting:  
8 <Sec. \_\_\_\_\_. Section 902.1, Code 2011, is amended to  
9 read as follows:  
10 **902.1 Class "A" felony.**  
11 1. Upon a plea of guilty, a verdict of guilty, or  
12 a special verdict upon which a judgment of conviction  
13 of a class "A" felony may be rendered, the court shall  
14 enter a judgment of conviction and shall commit the  
15 defendant into the custody of the director of the  
16 Iowa department of corrections for the rest of the  
17 defendant's life. Nothing in the Iowa corrections code  
18 pertaining to deferred judgment, deferred sentence,  
19 suspended sentence, or reconsideration of sentence  
20 applies to a class "A" felony, and a person convicted  
21 of a class "A" felony shall not be released on parole  
22 unless the governor commutes the sentence to a term of  
23 years.  
24 2. a. Notwithstanding subsection 1, a person  
25 convicted of a class "A" felony, and who was under the  
26 age of eighteen at the time the offense was committed  
27 shall be eligible for parole after serving a minimum  
28 term of confinement of twenty-five years.  
29 b. If a person is paroled pursuant to this  
30 subsection the person shall be subject to the same set  
31 of procedures set out in chapters 901B, 905, 906, and  
32 chapter 908, and rules adopted under those chapters for  
33 persons on parole.  
34 c. A person convicted of murder in the first degree  
35 in violation of section 707.2 shall not be eligible for  
36 parole pursuant to this subsection.  
37 d. A person convicted of murder in the second  
38 degree in violation of section 707.3 and who was also  
39 convicted of either kidnapping in the first degree  
40 in violation of section 710.2 or sexual abuse in the  
41 first degree in violation of section 709.2, which  
42 conviction arose out of the same set of facts as the  
43 murder-in-the-second-degree conviction, shall not be  
44 eligible for parole pursuant to this subsection.>  
45 3. Page 6, after line 1 by inserting:  
46 <Sec. \_\_\_\_\_. Section 907.9, subsection 4, Code 2011,  
47 is amended to read as follows:  
48 4. At the expiration of the period of probation  
49 if the fees imposed under section 905.14 and court  
50 debt collected pursuant to section 602.8107 have been

1 paid, the court shall order the discharge of the person  
2 from probation. If portions of the court debt remain  
3 unpaid, the person shall establish a payment plan with  
4 the clerk of the district court or the county attorney  
5 prior to the discharge. The court shall forward to the  
6 governor a recommendation for or against restoration  
7 of citizenship rights to that person upon discharge.  
8 A person who has been discharged from probation shall  
9 no longer be held to answer for the person's offense.  
10 Upon discharge from probation, if judgment has been  
11 deferred under section 907.3, the court's criminal  
12 record with reference to the deferred judgment and any  
13 counts dismissed by the court, which were contained in  
14 the indictment, information, or complaint that resulted  
15 in the deferred judgement, shall be expunged. The  
16 record maintained by the state court administrator  
17 as required by section 907.4 shall not be expunged.  
18 The court's record shall not be expunged in any other  
19 circumstances.>

- 20 4. Page 6, after line 1 by inserting:  
21 <Sec. \_\_\_\_ . EFFECTIVE UPON ENACTMENT. The section  
22 of this Act amending section 654.4B, being deemed of  
23 immediate importance, takes effect upon enactment.>  
24 5. Title page, line 1, by striking <the placement  
25 of a juvenile> and inserting <juveniles convicted of  
26 class "A" felonies and the placement of juveniles>  
27 6. Title page, line 2, by striking <in district  
28 court> and inserting <, expungement of records, and  
29 mediation in court proceedings, and including effective  
30 date provisions>  
31 7. By renumbering as necessary.